

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

EDWARD SMITH and CAROL  
SMITH, Individually and on behalf of  
those similarly situated,

Plaintiffs,

v.

RADIAN SETTLEMENT SERVICES,  
INC., and SHAWN P. MURPHY,

Defendants.

No. 4:23-CV-1652

(Chief Judge Brann)

**ORDER**

**FEBRUARY 16, 2024**

In accordance with the accompanying Memorandum Opinion, **IT IS HEREBY  
ORDERED** that:

1. Defendants Radian Settlement Services, Inc.'s and Shawn P. Murphy's Motion to Dismiss (Doc. 14) is **GRANTED**.
2. Count I of the Complaint is **DISMISSED WITH PREJUDICE**.
3. Counts II and III of the Complaint are **DISMISSED WITHOUT PREJUDICE**.
4. Plaintiffs Edward and Carol Smith may file an Amended Complaint by March 1, 2024.

BY THE COURT:

*s/ Matthew W. Brann*

Matthew W. Brann  
Chief United States District Judge